



Criminal Defense Attorneys of Michigan

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Hon. Mark Meadows
Chair, House Judiciary Committee
P.O. Box 30114
Lansing, MI 48909

RE: HB 6389 and 6390

Dear Chairman Meadows:

The Michigan Supreme Court recently adopted proposed amendments to MRPC 6.425 and 6.610; Adm 2008-39, which changed the pre-existing practice of allowing prosecutors and defense attorneys to retain a copy of the Presentence Investigation Report (PSI). In response to concerns raised by Criminal Defense Attorneys of Michigan (CDAM) and the Prosecuting Attorneys Association of Michigan (PAAM), the Court stayed the recent amendments and suggested CDAM and PAAM seek to amend the relevant statutes to permit retention of the PSI after sentencing.

CDAM and PAAM, in cooperation with Representative Lipton, believe HB 6389 and 6390 will continue the current and sensible practice of allowing the prosecution and defense to retain a copy of the PSI.

CDAM is aware that the Michigan Domestic Violence Prevention and Treatment Board proposes to amend HB 6389 to add language which will prohibit certain information about victims or witnesses from being included in a PSI similar to MCR 6.425(B). CDAM does not oppose this amendment but notes that this information is not included in a PSI under current practice.

We urge the House Judiciary Committee to report HB 6389 and 6390. Thank you for your consideration of this important issue.

Very truly yours,

Margaret Sind Raben
CDAM Legislative Committee

/kad